

### REMARKS

This application has been carefully reviewed in light of the final Office Action dated October 14, 2009 and the Advisory Action dated January 26, 2010. Claims 1 to 3 and 6 to 20 are in the application, with Claims 11 to 15 and 17 to 20 having been withdrawn from consideration. Of the claims presented for examination, Claims 1 and 16 are independent. Claims 4 and 5 have been cancelled, and Claims 1 and 16 have been amended. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 1, 2, 4 to 7 and 16 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,084,604 (Moriyama) in view of U.S. Patent No. 5,798,776 (Uchiyama); Claims 3 and 8 were rejected under 35 U.S.C. § 103(a) over Moriyama in view of Uchiyama and further in view of U.S. Patent No. 6,328,403 (Iwasaki); and Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) over Moriyama in view of Uchiyama and further in view of U.S. Patent No. 5,828,396 (Seto). Claims 4 and 5 have been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of their rejections. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

Independent Claim 1 as amended generally concerns a recording apparatus that uses an ink-ejecting recording head and performs recording by ejecting black ink and at least one color ink onto a recording medium from the recording head. The recording apparatus includes extraction means for extracting, on the basis of recording data, both black adjacent pixels composed of pixels whose adjacent pixels are recorded with black ink, and color adjacent pixels that include pixels whose adjacent pixels are recorded with color ink, from among the pixels constituting a black image. The recording apparatus

further includes data creating means for creating data that corresponds to color ink so that recording with black ink and with color ink applied (or added) according to a given ratio is done, on the black adjacent pixels or the color adjacent pixels extracted by the extraction means, and recording control means for performing recording with the recording head on the basis of the recording data and the data created by the data creating means. The black image is recorded by superposing an image composed of pixels formed by black ink and an image based on the data corresponding to color ink created by the data creating means. The data creating means creates data that corresponds to color ink by increasing the ratio for recording pixels with color ink onto the black adjacent pixels to be greater than the ratio for recording pixels with color ink onto the color adjacent pixels.

Thus, among its many features, Claim 1 provides for creating data that corresponds to color ink by increasing the ratio for recording pixels with color ink onto the black adjacent pixels to be greater than the ratio for recording pixels with color ink onto the color adjacent pixels. The applied references of Moriyama, Uchiyama, Iwasaki and Seto are not seen to disclose or suggest at least this feature.

In its rejection of now-cancelled Claim 5, the Office Action directed attention to columns 29 and 30 of Moriyama for this alleged disclosure. Applicants respectfully disagree.

The cited portion of Moriyama is seen to disclose that the mixing ratio of the dots of black ink to the dots formed by mixing color inks is gradually increased within a range from 10% to 90%, as a position is separated away from a first black image portion adjacent to a color image.

As such, Moriyama is merely seen to increase the ratio of the dots of black ink, relative to the dots formed by mixing color inks. However, Moriyama is not seen to disclose or suggest increasing the ratio for recording pixels with color ink, onto black adjacent pixels than onto color adjacent pixels.

Accordingly, Moriyama is not seen to disclose or suggest creating data that corresponds to color ink by increasing the ratio for recording pixels with color ink onto the black adjacent pixels to be greater than the ratio for recording pixels with color ink onto the color adjacent pixels.

Claim 1 is therefore believed to be allowable over the applied references.

In addition, independent Claim 16 is a method claim which generally corresponds to apparatus Claim 1. Accordingly, Claim 16 is believed to be allowable for the same reasons.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the claims, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/John D. Magluyan/  
John D. Magluyan  
Attorney for Applicants  
Registration No.: 56,867

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, New York 10104-3800  
Facsimile: (212) 218-2200

FCIS\_WS 4680009v1